

APR 22 2003

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Washington D.C. 20231
United States

Oeiras, 17th April 2003

Subject: Office communication concerning Application/Control Number: 09/926,681
Art Unit: 1651

Dear Dr. Lynda T. Guo,

Please find enclosed two copies of the Patent Application (Control Number 09/926,681) emended in accordance to your comments stated in the Office communication (Art Unit 1651). One of the copies contains all changes marked in the original text, and the other contains only the final text, with all changes included.

The changes were done in order to comply with the following comments:

- Specification (all items of 1.)
- Claim rejections (all items of 2., 3., 4.)
- Allowable Subject matter (6., 7., and 8.)

The comment number 5 concerning some previous publications related to this subject, only emphasise the content of the present Application and, therefore, this information was not included in the emended text. As it is stated in the Application, the production of 4-ethylphenol from *p*-coumaric acid is characteristic of *Dekkera* and *Brettanomyces* species, but up until now this characteristic was not reproduced in culture medium. Also, cyclohexamide is a known inhibitor to several yeast species, as it is described in all literature concerning yeast taxonomy and identification. The medium of Chatonnet *et al.* (1992) is also known, but its selectivity is low because it is only based on cyclohexamide, and there are many other species besides *Dekkera* and *Brettanomyces* that are capable of growing in the presence of this compound. As it is referred in the comment and in the Application, the use of ethanol as the only energy source is novel, and it is crucial for the selectivity of the medium, inhibiting most of all yeast species that might grow in the presence of cyclohexamide. Besides, the medium of Chatonnet *et al.* (1992) only

provides a single differential feature to differentiate the *Dekkera* and *Brettanomyces*

04/28/2003 DTHOMAS 00000001 150030- 09926681

01 FC:1251 110.00 CR

Adjustment date: 11/10/2003 EEKUBAY1
04/28/2003 DTHOMAS 00000001 150030 09926681
01 FC:1251 110.00 CR

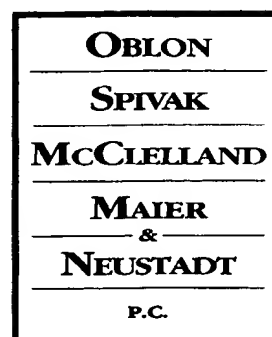
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ATTORNEYS AT LAW
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Attn: PCT Legal Office

Re: Deposit Account # 150030

Enclosed is a copy of page 6 of our Deposit Account Statement of April 30, 2003. Please review the highlighted charge on **Serial Number 09/926,681 in the amount of \$110.00 on fee code #1251.**

An Office Action was mailed from the PTO on December 17, 2002. A response was thereby due on March 17, 2003. **Applicants decided to abandon this application by not responding to the Office Action. On April 28, 2003, the PTO charged a one-month extension of time on our deposit account without our authorization. The \$110.00 extension fee should be refunded to our deposit account.**

Please review this application and kindly refund **\$110.00** to deposit account #150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Debbie Noel at (703) 412-6296. Thank you for your assistance in this matter.

With best regards,

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.


C. Irvin McClelland

CIM/djn
Enclosures



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Date	4-30-03
Page	6

NORMAN F. OBLON

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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4	25	03	1	09593038	030675-043	1806	180.00	46531.71
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,681	03/14/2002	Virgilio Borges Loureiro	211341US0XPCT	8291

22850 7590 12/17/2002

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ARLINGTON, VA 22202

EXAMINER

GUO, LYNDIA T

ART UNIT	PAPER NUMBER
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1651

DATE MAILED: 12/17/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.